

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

## HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that House Bill 1156 be amended to read as follows:

1           Page 11, line 23, delete "thirty-four (34)" and insert "**thirty-five**  
2           **(35)**".  
3           Page 12, line 4, reset in roman "eight (8)".  
4           Page 12, line 4, delete "nine (9)".  
5           Page 12, line 16, delete "seventeen (17)" and insert "**sixteen (16)**".  
6           Page 12, line 19, delete "nineteen (19)" and insert "**twenty (20)**".  
7           Page 12, between lines 23 and 24, begin a new paragraph and insert:  
8           "SECTION 10. IC 33-33-49-14 IS AMENDED TO READ AS  
9           FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 14. (a) Not more  
10          than thirty (30) days after taking the oath of office, the judges shall  
11          meet and designate ~~three (3)~~ **four (4)** of the judges as the executive  
12          committee for administrative purposes. The executive committee shall  
13          be selected by a vote of two-thirds (2/3) of the judges sitting at the time  
14          the vote is taken. If all vacancies cannot be filled by a two-thirds (2/3)  
15          vote, vacancies may be filled by such other method as provided by  
16          court rule. The executive committee is responsible for the operation and  
17          conduct of the court. A member of the executive committee shall serve  
18          in the capacity provided by rules adopted by the court under section 11  
19          of this chapter. A member of the executive committee serves for a term  
20          of two (2) years beginning on the date of the member's election. **Except**  
21          **for the rotation of the presiding judge as provided in subsection (b),**  
22          any or all of the members elected to the executive committee may be  
23          reelected. Of the ~~three (3)~~ **four (4)** judges elected to the executive  
24          committee, not more than two (2) may be members of the same political  
25          party.

(b) One (1) of the ~~three (3)~~ **four (4)** judges elected to the executive committee shall be elected as presiding judge and ~~two (2)~~ **three (3)** of the ~~three (3)~~ **four (4)** judges elected to the executive committee shall be elected as associate presiding judges. **Beginning with the election of the executive committee in 2007, a presiding judge may not be elected from the same political party as the presiding judge who served the previous term.** Each judge who is a member of the executive committee has an equal vote in all matters pertaining to the business of the court when an action requires a majority vote. **If a tie vote occurs, the presiding judge shall cast the tiebreaking vote.** Any action taken by the executive committee may be overruled by a vote of two-thirds (2/3) of all the judges sitting at the time the vote is taken. The physical reassignment of a judge to a different courtroom requires a unanimous vote of the executive committee. The executive committee shall assign cases, offices, and courtrooms for trial judges or reassignment of newly filed cases in the interests of the speedy, economical, and uniform disposition of cases. All matters of trial dates, continuances, and subpoenas used for trial shall be determined by the trial judge in accordance with rules of the superior court. The executive committee shall perform other duties as determined by rules of the court.

(c) The court shall, by rules of the court, divide the work of the court into various divisions, including but not limited to the following:

- (1) Civil.
- (2) Criminal.
- (3) Probate.
- (4) Juvenile.

(d) The work of each division shall be allocated by the rules of the court.

(e) The judges shall be assigned to various divisions or rooms as provided by rules of the court. Whenever possible, an incumbent judge shall be allowed the option of remaining in a particular room or division. Whenever any action of the court is required, the judges of the court shall act in concert, by a vote under section 11 of this chapter. The court shall keep appropriate records of rules, orders, and assignments of the court."

Page 12, line 28, delete "four (4)".

Page 12, line 29, delete "six (6)" and insert "four (4)".

Page 12, line 30, delete "three (3)" and insert "**two (2)**".

Page 20, line 2, delete "and" and insert ",".

Page 20, line 2, after "thirty-fourth" insert "**, and thirty-fifth**".

Page 20, line 15, delete "nineteen (19)" and insert "**twenty (20)**".

Page 20, line 16, delete "thirty-fifth and".

Page 20, line 16, delete "judges" and insert "**judge**".

Page 20, line 21, delete "nine (9)" and insert "**eight (8)**".

Page 20, line 25, delete "seventeen (17)" insert "**sixteen (16)**".

Renumber all SECTIONS consecutively.

(Reference is to HB 1156 as printed January 27, 2006.)

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Representative Richardson